

Lawrence C. Marshall
Professor of Law

Crown Quadrangle
559 Nathan Abbott Way
Stanford, CA 94305-8610
Tel 650 723-7572
lmarshall@stanford.edu
www.law.stanford.edu

August 21, 2017

By ECF

Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: John J. Rigas and Timothy J. Rigas v. United States, 11 Civ. 6964 (KMW)

Dear Judge Wood:

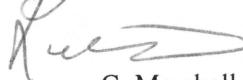
On behalf of Petitioners, John and Timothy Rigas, I write with regard to the Reply Memorandum Petitioners are now in the process of preparing. For the reasons I will now explain, Petitioners ask that the Court set a date of September 10, 2017 by which the Reply will be filed, and that the Court set a page limit of 30 pages for the Reply.

As the Court knows, the issues now being briefed have been the subject of extensive memoranda covering a wide set of points. With the Court's permission, both Petitioners and the Government have filed 75-page memoranda, and each side has taken considerable time to prepare those filings. Most recently, the government—with consent of Petitioners—was allowed 100 days within which to file its Opposition. That memorandum was filed on August 10, 2017.

I have begun working on the Reply but, as one might expect, it is taking far longer than would a reply in a case involving a 25-page memoranda. The fact that I will be traveling to the Midwest to bring my daughter to her first year of college will also factor into the time the Reply will take. And the process of having my client Tim Rigas, who is in prison, review the filing is a time consuming one. I am confident that I can file the Reply by September 10, 2017, and ask that the Court allow me to file by that date.

In terms of pages, both of the memoranda that have been filed to date have been three times the length of the regular page limit. To response adequately, we believe that we will need the same ratio—meaning a Reply of 30 pages. We will, of course, endeavor to file a shorter Reply if at all possible.

Sincerely yours,


/s/ Lawrence C. Marshall

Service to ECF List